



Order Filed on March 6, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC

Authorized Agent for Secured Creditor

130 Clinton Road, Lobby B, Suite 202

Fairfield, NJ 07004

Telephone: 973-575-0707

Facsimile: 973-404-8886

Shauna Deluca, Esq. (SD-8248)

In Re:

Teodoro F Arocho, Jr.

***aka* Teodoro F Arocho- Ramos**

***aka* Ted F Arocho**

***aka* Teodoro F Arocho,**

Debtor.

Case No.: 18-34288-JKS

Chapter: 13

Hearing Date: February 13, 2020

Judge: John K. Sherwood

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: March 6, 2020

A handwritten signature of John K. Sherwood in black ink, written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

Page 2

Secured Creditor: NewRez LLC d/b/a Shellpoint Mortgage Servicing

Secured Creditor's Counsel: RAS Citron, LLC

Debtor's Counsel: Kevin Delyon, Esq.

Property Involved ("Collateral"): 35 Adelphi Trail, Hopatcong, NJ 07843

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:
 - The Debtor is overdue for 5 months from September 1, 2019 through January 1, 2020.
 - The Debtor is overdue for 5 payments from September 1, 2019 through January 1, 2020 at \$1,880.27 per month.
 - Funds Held In Suspense \$1,839.56
 - Total Arrearages Due \$7,561.79
2. Debtor must cure all post-petition arrearages, as follows:
 - Debtor has been accepted into the Court's Loss Mitigation Program, and shall continue to tender regular monthly mortgage payments in the amount of \$1,875.29 beginning on February 1, 2020 while his application for Loss Mitigation is pending.
 - Beginning on February 15, 2020, monthly cure payments shall be made directly to Secured Creditor in the amount of \$840.20 for eight (8) months, with a ninth (9) and final payment in the amount of \$840.19 on October 15, 2020.
 - In the event a Loan Modification is approved prior to October 15, 2020, or the date the final cure payment comes due, all outstanding post-petition arrears reflected in this Order will be capitalized into the Loan Modification without further demand by Secured Creditor.
3. Payments to the Secured Creditor shall be made to the following address(es):
 - ☐ Regular monthly payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing
PO Box 10826
Greenville, South Carolina 29603-0826

☐ Monthly cure payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing
PO Box 10826
Greenville, South Carolina 29603-0826

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.

Kevin Delyon, Esq.
Attorney for Debtor
Date:

/s/ Shauna Deluca
Shauna Deluca, Esq.
Attorney for Secured Creditor
Date: February 7, 2020

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Teodoro F Arocho, Jr.
DebtorCase No. 18-34288-JKS
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 06, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 08, 2020.

db +Teodoro F Arocho, Jr., 35 Adelphi Trail, Hopatcong, NJ 07843-1766

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 08, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 6, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Herbert B. Raymond on behalf of Debtor Teodoro F Arocho, Jr. herbertraymond@gmail.com, raymondmail@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.raymond@gmail.com;herbertraymond5967@yahoo.com;raymondlaw5622@gmail.com;courtemail789@gmail.com
 Kevin Gordon McDonald on behalf of Creditor New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
 Marie-Ann Greenberg magecf@magtrustee.com
 Shauna M Deluca on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing sdeluca@rasflaw.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6